

Surprise for Rewald's Public Lawyers: Barred Attorney Says He's on Case

By Charles Memminger
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An attorney U.S. Judge Harold Fong barred from participating in the Ronald Rewald fraud trial yesterday notified the federal court here that he would be handling Rewald's appeal.

The news was a surprise to Rewald's attorneys of record, federal Public Defender Michael Levine and his deputy, Brian Tamanaha.

A. Brent Carruth filed by mail from California a notice that Rewald intends to appeal his conviction on 94 counts of fraud, perjury and tax evasion. Carruth also is asking that the 9th U.S. Circuit Court of Appeals in San Francisco pay his attorney's fees for representing Rewald.

Levine said he had "no knowledge" that Carruth filed the appeal notice or if Carruth even has been in contact with Rewald, who is in prison awaiting sentencing.

"I WANT to see Ronald Rewald and talk about it," Levine said. "If Mr. Rewald says he

wants us to be relieved, then we won't object to it."

Rewald wanted Carruth to be on his defense team but Fong refused, saying it would be a conflict of interest. Carruth represented a man in a Mainland spy case who claimed a connection to Rewald's company, Bishop, Baldwin, Rewald, Dillingham & Wong.

Levine made several motions during the trial asking to be removed from the case, saying he was ineffectively representing Rewald.

Levine said Fong's order barring Carruth's involvement in the trial does not apply to an appeal.

Levine, however, questioned why Carruth would file the appeal notice without advising the attorneys of record and, apparently, Rewald.

Assistant U.S. Attorney John Payton could not be reached for comment on Carruth's action.

REWALD WILL be sentenced Dec. 9. The following day, Levine and Tamanaha are to appear in court to explain why they should not be held in con-

tempt for allegedly unethical and disrespectful behavior during the trial.

The defense attorneys are attempting to get the date of their hearing delayed so their attorney, Brook Hart, can properly prepare their case.

Ironically, Levine, who is Hawaii's first federal public defender, is being represented by Hart, who opened the first state public defender's office here.